



AF JCN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HOVELL et al

Atty. Ref.: 36-1536

Serial No. 10/069,359

TC/A.U.: 2145

Filed: February 25, 2002

Examiner: M. Nguyen

For: PACKET NETWORK INTERFACING

* * * * *

January 13, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REQUEST TO WITHDRAW "FINALITY"
OF OFFICE ACTION**

The Office Action dated 01/09/2006 is indicated as being "final" on the Office Action Summary page (albeit there is no mention of any "final" status in the text of the Action at pages 2-17).

In any event, applicant's earlier amendments clearly did not necessitate a new search. Applicant's amendments merely were directed to matters of form so as to cure alleged indefiniteness and/or to put the claims in more traditional US format. For example, instead of merely reciting a "predetermined format", claim 1 was amended so as to recite a "format in accordance with the first transmission protocol" -- which was clearly the intended meaning of the "predetermined format" in the original claim. The remainder of the claim was also amended so as to avoid use of the if, else condition in favor an if and if not conditional statement -- which are logically equivalent. Similar

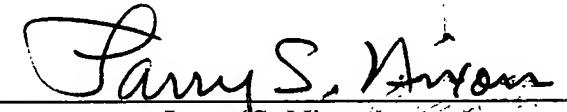
amendments were made to method claims 7 and 10 et seq. It is not believed that any of these amendments introduced any sufficiently "new issue" that should have necessitated a new or additional searching.

Accordingly, it is believed that the outstanding Action should not have been designated "final" and withdrawal of such designation, (to the extent it was intended) is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon

Reg. No. 25,640

LSN:vc'
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100